

**In the Environment Court of New Zealand**

**Christchurch Registry**

**ENV-2018-CHC-000028**

**Under**

the Resource Management Act 1991

**In the matter of**

on an appeal under clause 14 of  
Schedule 1 of the Act in relation to  
Decisions on the Proposed Southland  
Water and Land Plan

**Between**

**Horticulture New Zealand**

Appellant

**And**

**Southland Regional Council**

Respondent

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**Notice of Southland Fish and Game Council's wish to be party to proceedings  
pursuant to section 274 of the Resource Management Act 1991**

**Dated this 22nd day of June 2018**

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**To:** The Registrar  
Environment Court  
Level 1, District Court Building  
282 Durham Street  
Christchurch 8013

Postal address: PO Box 2069  
Christchurch 8013

1. Southland Fish and Game Council (**Fish and Game**) wish to be a party pursuant to section 274 of the Resource Management Act 1991 (**the RMA**) to the following proceedings:
  - a. the appeal against part of the decision of the Southland Regional Council (**the Council**) on the Proposed Southland Water and Land Plan (**the Proposed Plan**) by Horticulture New Zealand (**the Appellant**), ENV-2018-CHC-000028.
  
2. Fish and Game made a submission and further submission on the Proposed Southland Water and Land Plan.<sup>1</sup>
  
3. Fish and Game also has an interest in these proceedings greater than the general public in that:
  - a. It is the statutory manager of sports fish and game birds within the Southland Fish and Game region under Parts 5A and 5B of the Conservation Act 1987 and Part II of the Wildlife Act 1953 and their associated regulations and notices; and
  - b. Fish and Game Councils are statutory bodies with functions under s 26Q of the Conservation Act 1987 to manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters,<sup>2</sup> including in particular:
    - i. Assessing and monitoring sports fish and game populations;<sup>3</sup>
    - ii. Assessing and monitoring condition and trend of ecosystems as habitats for sports fish and game;<sup>4</sup>
    - iii. To maintain and improve the sports fish and game resource,<sup>5</sup> including by:
      - Maintaining and improving access;<sup>6</sup> and
      - Undertaking works to maintain and enhance the habitat of sports fish and game;<sup>7</sup>

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<sup>1</sup> Submitter number 752.

<sup>2</sup> Section 26Q(1) of the Conservation Act 1987.

<sup>3</sup> Section 26Q(1)(a)(i) of the Conservation Act 1987.

<sup>4</sup> Section 26Q(1)(a)(iii) of the Conservation Act 1987.

<sup>5</sup> Section 26Q(1)(b) of the Conservation Act 1987.

<sup>6</sup> Section 26Q(1)(b)(i) of the Conservation Act 1987.

- iv. Promoting recreation based on sports fish and game;<sup>8</sup> and
- v. In relation to planning to:
  - To represent the interests and aspirations of anglers and hunters in the statutory planning process;<sup>9</sup> and
  - To advocate the interests of the Fish and Game Council, including its interests in habitats.<sup>10</sup>
4. Fish and Game is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
5. Fish and Game is directly affected by an effect of the subject of the that appeal that:
  - a. Adversely affects the environment; and
  - b. Does not relate to trade competition or the effects of trade competition.
6. Fish and Game is interested in all the proceeding.
7. Without limiting the above, Fish and Game is interested in the following particular issues:
  - a. Policy 39A . Integrated management.
8. The particular issues and whether Fish and Game supports, opposes or conditionally opposes the relief sought are set out in the attached table . Attachment 1.
9. Fish and Game agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 22nd day of June 2018



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Signed: Zane Moss - Manager  
Southland Fish and Game Council

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<sup>7</sup> Section 26Q(1)(b)(v) of the Conservation Act 1987.

<sup>8</sup> Section 26Q(1)(c)(ii) of the Conservation Act 1987.

<sup>9</sup> Section 26Q(1)(e)(i) of the Conservation Act 1987.

<sup>10</sup> Section 26Q(1)(e)(vii) of the Conservation Act 1987.

**Address for service for Southland Fish and Game Council:**

Contact: Ben Farrell  
Physical address: Level 2, 36 Shotover Street  
Queenstown, 9300  
Postal address: PO Box 95  
Queenstown 9300  
Email: ben@jea.co.nz  
Telephone: 021 767 622

**Contact persons at Southland Fish and Game Council:**

Name: Zane Moss . Manager  
Phone: (03) 215 9117 or 021 244 5384  
Email: Zane@southlandfishgame.co.nz  
or  
Name: Jacob Smyth . Resource Management Officer  
Phone: (03) 215 9117 or 021 280 0755  
Email: Jacob@southlandfishgame.co.nz

**Attachment 1**

Provision of Proposed Southland Water and Land Plan appealed by Horticulture New Zealand	Relief sought by Horticulture New Zealand	Scope for s 274 – Southland Fish and Game Council submission point reference	Support / oppose	Reasons
Policy 39A . Integrated management	Move Policy 39A . Integrated Management from <del>Consideration of Resource Consent Applications</del> to follow Policy 47 under <del>Freshwater Management Unit Process Policies</del>	752.79 + further submissions on 172.12 and 279.45	Oppose	<p>Scientific evidence confirms that the quality of water in Southland has significantly degraded and is likely to continue to significantly degrade, so regulatory intervention is required. The relief sought:</p> <ol style="list-style-type: none"> <li>1. Erodes the intent of Policy 39A, which is consideration of the cumulative effects of land use and discharge activities through the resource consent process;</li> <li>2. Does not provide certainty that that the quality of water be maintained, which is the overarching purpose of the Proposed Plan; and</li> <li>3. Does not give effect to Part A of the NPS-FWM, including Objective A1.</li> </ol>